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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 ANGELINO L PENA,

8 Petitioner,

9 v.

10 DONALD R HOLBROOK,

11 Respondent.

No. 3:18-CV-05975-RBL-DWC

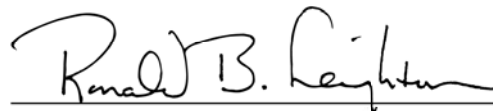
**ORDER ADOPTING REPORT AND
RECOMMENDATION**

12 THIS MATTER is before the Court on the Report and Recommendation of Magistrate
13 Judge David W. Christel [Dkt. # 25], and the underlying record.

- 14 (1) The Report and Recommendation is **ADOPTED**.
15 (2) Pena's federal habeas petition under 28 U.S.C. § 2254 is **DENIED**.
16 (3) The Court will **NOT** issue a Certificate of Appealability under 28 U.S.C. §
17 2253(c)(2), for the reasons articulated in the Report and Recommendation.
18 (4) As Pena has been granted *in forma pauperis*, *in forma pauperis* may continue on
19 appeal. See Rule of Appellate Procedure 24(a)(3).

20 IT IS SO ORDERED.

21 DATED this 30th day of August, 2019.

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24 Ronald B. Leighton
25 United States District Judge
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